

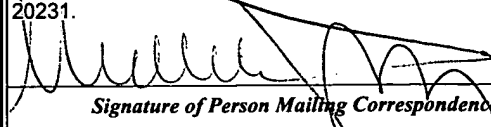


94 1632

<b>AMENDMENT TRANSMITTAL LETTER (Small Entity)</b>			<b>Docket No.</b> 10981AZ		
Applicant(s): Peter A. Koopman, et al.					
<b>Serial No.</b> 09/910,087	<b>Filing Date</b> July 20, 2001	<b>Examiner</b> D. Nguyen	<b>Group Art Unit</b> 1632		
Invention: <b>SOX-9 GENE AND PROTEIN AND USE IN THE REGENERATION OF BONE OR CARTILAGE</b>					
			<b>RECEIVED</b>		
			MAY 14 2003		
<u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is an amendment in the above-identified application.					
<input checked="" type="checkbox"/> Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.					
<input type="checkbox"/> A verified statement to establish Small Entity status under 37 FR 1.27 is enclosed.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	<b>CLAIMS REMAINING AFTER AMENDMENT</b>	<b>HIGHEST # PREV. PAID FOR</b>	<b>NUMBER EXTRA CLAIMS PRESENT</b>	<b>RATE</b>	<b>ADDITIONAL FEE</b>
TOTAL CLAIMS	11 -	20 =	0 x	\$9.00	\$0.00
INDEP. CLAIMS	6 -	6 =	0 x	\$42.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>
<input checked="" type="checkbox"/> No additional fee is required for amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.					
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. <b>19-3886/RCT</b> A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.					
<input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.					
 Signature			Dated: May 8, 2003		
Frank S. DiGiglio Registration No. 31,346 Scully, Scott, Murphy & Presser 400 Garden City Plaza Garden City, New York 11530 (516) 742-4343			<div style="border: 1px solid black; padding: 5px;"><p>I certify that this document and fee is being deposited on May 8, 2003 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.</p> Signature of Person Mailing Correspondence <b>Michelle Mustafa</b> Typed or Printed Name of Person Mailing Correspondence</div>		
cc: FSD/XZ:ab					



PATENT

#8  
RD  
5-24-03

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Peter A. Koopman, et al.

**Examiner:** D. Nguyen

**Serial No.:** 09/910,087

**Art Unit:** 1632

**Filed:** July 20, 2001

**Docket:** 10981AZ

**For:** SOX-9 GENE AND PROTEIN AND  
USE IN THE REGENERATION OF  
BONE OR CARTILAGE

**Dated:** May 8, 2003

Commissioner for Patents  
Alexandria, VA 22313-1450

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**Supplemental Amendment Under 37 C.F.R. § 1.121**

Sir:

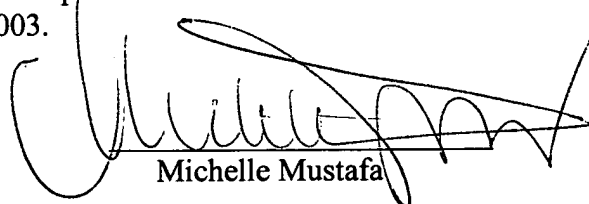
Further to the Amendment under 37 C.F.R. §1.121 submitted on April 29, 2003, responsive to the Office Action dated January 29, 2003, Applicants submit an article by Paul et al. (*Spine* 28: 755-763, 2003), attached hereto as Exhibit 1.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA on May 8, 2003.

Dated: May 8, 2003

  
Michelle Mustafa